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Court Review Set On Military Justice

Klansmen Lose

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The Supreme Court denied a hearing yesterday for seven men convicted in a 1964 Ku Klux Klan plot to kill three civil right workers in Mississippi.

Without comment, the court let stand the conspiracy verdicts against the seven. Jail terms under the verdicts range from three years for three of the men to the 10-year maximum for Neshoba County Deputy Sheriff Cecil Ray Price and Sam Bowers Jr., who was imperial wizard of the White Knight of the Ku Klux Klan.

All that remains to close out the case is for the convicted men to file their expected petitions for reconsideration. If the court declines, as it usually does, to grant the petitions, the men will begin serving their sentences.

The victims of the gang killing were Michael Schwerner, 23, and Andrew Goodman, 20, two white CORE volunteers from New York, and James E. Chaney, a Negro from Meridian, Miss.

Their work on a summer voting project stirred anger in and around Philadelphia, Miss.

The three rights workers were shot to death and buried in an earthen dam on June 21, 1964, after they had been arrested on a traffic charge, released and, according to court testimony, rearrested for turning over to a lynch party that had been assembled.

Mississippi took no action against the law enforcement officials or private citizens, but the Justice Department obtained initial indictments against 18 men charging a violation of an 1870 law against conspiring to violate individual constitutional rights.

Federal Judge W. Harold Cox dismissed the case as a private, local crime beyond the reach of federal law, but in 1966 the Supreme Court said the alleged involvement of the sheriff's office brought the charges well within federal jurisdiction. It ordered the indictment reinstated.

Convicted along with Price and Bowers in October, 1967, were Alton Wayne Roberts, a former nightclub bouncer; Horace Doyle Barnette, a former salesman; Billy Wayne Posey, a Philadelphia service station operator, and Jimmy Snowden and Jimmy Arledge, truck drivers from Meridian. The all-white jury acquitted County Sheriff Lawrence Rainey and seven other defendants. It deadlocked as to three others.

In the conspiracy case, Assistant Attorney General John Doar, the prosecutor who was in charge of the Justice Department's civil rights division, introduced a confession by Barnette to the FBI, as well as the testimony of three former Klansmen turned FBI informants.

On appeal, the Fifth U.S. Circuit Court of Appeals said it found "ample proof of conspiracy and each appellant's complicity in a calculated, cold-blooded and

merciless plot to murder the three men."

Responding to the petitions of the convicted seven, the Justice Department said the issues were unworthy of Supreme Court review. It said Barnette's confession was clearly voluntary and not made while in custody and that any trial errors must be deemed "harmless" to the defendants' rights.



CECIL PRICE



HORACE D. BARNETTE



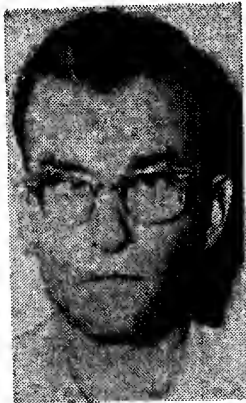
ALTON W. ROBERTS



SAM BOWERS JR.

Court Bars Appeal in Klan Plot

PLOT, From A1



BILLY WAYNE POSEY



JIMMY ARLEDGE



JIMMY SNOWDEN

Hearing is denied for seven convicted in 1964 klan plot to kill civil rights workers.